

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:

MINING PROJECT WIND DOWN HOLDINGS,  
INC. (f/k/a Compute North Holdings, Inc.), *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 22-90273 (MI)

(Jointly Administered)

**JOINT MOTION TO CONTINUE HEARING ON DEBTORS’  
OBJECTION TO CLAIM NO. 14 OF BOBS LIMITED**  
[Relates to Docket Nos. 850, 1023, 1048]

**If you object to the relief requested, you must respond in writing. Unless otherwise directed by the Court, you must file your response electronically at <https://ecf.txsb.uscourts.gov/> within twenty-one days from the date this motion was filed. If you do not have electronic filing privileges, you must file a written objection that is actually received by the clerk within twenty-one days from the date this motion was filed. Otherwise, the court may treat the pleading as unopposed and grant the relief requested.**

Tribolet Advisors, LLC, in its capacity as Plan Administrator (“Plan Administrator”) in the above-captioned bankruptcy cases (the “Cases”), and Bobs Limited (together with the Plan Administrator, the “Movants”), by and through their respective counsel, move for a continuance

<sup>1</sup> The Reorganized Debtors in these chapter 11 cases, along with the last four digits of each Reorganized Debtor’s federal tax identification number, include: Mining Project Wind Down Holdings, Inc. (f/k/a Compute North Holdings, Inc.) (4534); Mining Project Wind Down LLC (f/k/a Compute North LLC) (7185); Mining Project Wind Down Corpus Christi LLC (f/k/a CN Corpus Christi LLC) (5551); Mining Project Wind Down Atoka LLC (f/k/a CN Atoka LLC) (4384); Mining Project Wind Down BS LLC (f/k/a CN Big Spring LLC) (4397); Mining Project Wind Down Colorado Bend LLC (f/k/a CN Colorado Bend LLC) (4610); Mining Project Wind Down Developments LLC (f/k/a CN Developments LLC) (2570); Mining Project Wind Down Equipment LLC (f/k/a CN Equipment LLC) (6885); Mining Project Wind Down King Mountain LLC (f/k/a CN King Mountain LLC) (7190); Mining Project Wind Down MDN LLC (f/k/a CN Minden LLC) (3722); Mining Project Wind Down Mining LLC (f/k/a CN Mining LLC) (5223); Mining Project Wind Down Pledgor LLC (f/k/a CN Pledgor LLC) (9871); Mining Project Wind Down Member LLC (f/k/a Compute North Member LLC) (8639); Mining Project Wind Down NC08 LLC (f/k/a Compute North NC08 LLC) (8069); Mining Project Wind Down NY09 LLC (f/k/a Compute North NY09 LLC) (5453); Mining Project Wind Down STHDAK LLC (f/k/a Compute North SD, LLC) (1501); Mining Project Wind Down Texas LLC (f/k/a Compute North Texas LLC) (1883); Mining Project Wind Down TX06 LLC (f/k/a Compute North TX06 LLC) (5921); and Mining Project Wind Down TX10 LLC (f/k/a Compute North TX10 LLC) (4238). The Reorganized Debtors’ service address for the purposes of these chapter 11 cases is 2305A Elmen Street, Houston, TX 77019.

of the hearing on the *Debtors' Objection to Claim No. 14 of Bobs Limited* (the "Claim Objection") [Docket No. 850], and in support thereof shows the Court as follows:

PROCEDURAL BACKGROUND

1. On September 22, 2022 (the "Petition Date"), each of the above-captioned debtors (the "Debtors" and, as of the effective date of the Plan, the "Reorganized Debtors") commenced a chapter 11 case by filing a voluntary petition for relief in this Court under chapter 11 of the Bankruptcy Code.

2. On January 20, 2023, the Debtors filed the Claim Objection, seeking to disallow proof of claim number 14 filed by Bobs Limited.

3. On February 17, 2023, Bobs Limited filed a response to the Claim Objection.

4. On March 6, 2023, the Court conducted an initial hearing on the Claim Objection (the "Initial Hearing"). As indicated in the Courtroom Minutes for the Initial Hearing [Docket No. 1048], the Court stated on the record that discovery is open and the parties may take third party discovery in accordance with applicable law including third party international discovery. The Court set a final hearing on the Claim Objection for July 12, 2023 (the "Final Hearing").

5. On February 16, 2023, the Court entered an order confirming the *Third Amended Joint Liquidating Chapter 11 Plan of Mining Project Wind Down Holdings, Inc. (f/k/a Compute North Holdings, Inc.) and Its Debtor Affiliates* (the "Confirmation Order" and "Plan", respectively) [Docket No. 1019].

6. The effective date of the Plan (the "Effective Date") occurred on March 31, 2023, at which point the Plan Administrator's appointment went into effect.<sup>2</sup>

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<sup>2</sup> Docket No. 1082.

7. The Plan Administrator is governed by the Amended Plan Administrator Agreement (the “Plan Administrator Agreement”).<sup>3</sup> Pursuant to the Plan, Confirmation Order, and Plan Administrator Agreement, the Plan Administrator is tasked with, among other things: (1) serving as the sole manager, director, and officer of the Reorganized Debtors as of the Plan’s effective date; (2) implementing the Plan and any applicable orders of the Court; and (3) reconciling and resolving claims asserted against the Reorganized Debtors’ estates.<sup>4</sup>

8. The Plan Administrator is judicially substituted for the Debtors as proponent of the Claim Objection.<sup>5</sup>

#### RELIEF REQUESTED

9. The Parties jointly request that the Final Hearing be continued for approximately sixty (60) days in order to allow the Parties additional time to complete the discovery necessary in this contested matter.

#### BASIS FOR RELIEF

10. Section 105(a) of the Bankruptcy Code provides that “the court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of [the Bankruptcy Code].” 11 U.S.C. § 105(a).

11. The Court Procedures for Judge Isgur allow for requests for continuances upon the filing of a motion.

12. The Parties request additional time prior to conducting the Final Hearing for several reasons primarily related to the gathering and exchanging of discovery. The Plan Administrator

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<sup>3</sup> Exhibit E to Docket No. 1079.

<sup>4</sup> Plan §§ 4.2.5, 7.3; Confirmation Order ¶¶ 53, 88; Plan Administrator Agreement § 1.3.

<sup>5</sup> Plan Administrator Agreement § 1.1.

was appointed more than two months after the Claim Objection was filed and after the Initial Hearing was conducted. Among other things, the Plan Administrator is working to obtain and preserve relevant emails from the Debtors' server that may be used as evidence. The Plan Administrator requires additional time to identify relevant documents that may be discoverable or otherwise used as evidence in this contested matter.

13. In addition, two potential third party fact witnesses are believed to be located in Canada and China, respectively. The Parties anticipate that the legal process for obtaining discovery from these international third parties will require additional time.

14. The Parties consent to a sixty (60) day continuance. No party will be prejudiced by this requested relief.

*[Remainder of Page Intentionally Left Blank]*

WHEREFORE, the Parties jointly move for a continuance of the Final Hearing, which is presently set for July 12, 2023, to a future date and time that is no less than sixty (60) days from the presently scheduled date, without prejudice to either Party's right to seek an additional continuance, and for such other relief as the Court deems just and proper.

Dated: June 9, 2023

Respectfully submitted,

/s/ Charles R. Gibbs

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– and –

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*Counsel for Bobs Limited*

**Certificate of Service**

I certify that on June 9, 2023, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Charles R. Gibbs

Charles R. Gibbs